

STATE OF MAINE
PUBLIC UTILITIES COMMISSION

Docket No. 98-892

April 19, 2000

MAINE PUBLIC UTILITIES COMMISSION
Investigation into the Rates of
Cobbosseecontee Telephone and
Telegraph Company Pursuant to
35-A M.R.S.A. § 7101-B

ORDER

WELCH, Chairman; NUGENT and DIAMOND, Commissioners

I. Summary

In this Order, we require Cobbosseecontee Telephone and Telegraph Company (Cobbosseecontee) to file the general rate case information required by Section 5 of Chapter 120 of our Rules.

II. Background

On November 24, 1998, the Commission opened an investigation into the rates of Cobbosseecontee. The Commission granted the intervention petitions of the Office of the Public Advocate, the Telecommunications Association of Maine, and Bell Atlantic-Maine on December 22, 1998. In our January 28, 1999 Interim Order in this case, we noted that while one of our goals in opening the rate proceeding was to lower access rates in compliance with 35-A M.R.S.A. § 7101-B, our investigation was not limited to access rates and encompassed all of Cobbosseecontee's rates. We also stated in that Order that we hoped that the parties could reach a settlement of the issues by August 1, 1999. If settlement did not occur by that date, we stated that we would begin the process of opening rate cases pursuant to our authority under 35-A M.R.S.A. § 1303.

The parties to this proceeding met on at least three occasions to discuss this case and to try to reach a settlement. However, the parties have been unable to reach agreement on the disposition of several issues.

On April 11, 2000, Cobbosseecontee filed a document with the Commission purporting to be a Stipulation. The document described the terms under which Cobbosseecontee was willing to settle this proceeding. The document was not signed by any other party to the proceeding, although by letter dated April 11, 2000, the Telephone Association of Maine indicated that it did not object to the terms contained in the filing.

III. Decision

We find that the parties have been given sufficient time to settle this proceeding. Indeed, we have given the parties an additional eight months beyond our August 1, 1999 deadline. We now believe that a more formal approach will be necessary to resolve this case. We do not consider the filing made by Cobbosseecontee to be a Stipulation because it was not signed by any other party. Further, the filing does not provide the necessary information for us to reach a determination regarding the reasonableness of Cobbosseecontee's proposal.

Accordingly, we order Cobbosseecontee to file the information and data required by Section 5 of Chapter 120 of the Commission's rules, except that we do not require Cobbosseecontee to file the information called for by sections 5(C)(1)(b), 5(C)(1)(d), 5(C)(1)(e), 5(C)(2), and 5(C)(9)(all relating to proposed rate changes). Cobbosseecontee shall make its filing by May 19, 2000.

Dated at Augusta, Maine, this 19th day of April, 2000.

BY ORDER OF THE COMMISSION

Dennis L. Keschl
Administrative Director

COMMISSIONERS VOTING FOR: Welch
 Nugent
 Diamond

NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within 30 days of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320(1)-(4) and the Maine Rules of Civil Procedure, Rule 73, et seq.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320(5).

Note: The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.